

REMARKS

Claims 1-20 were pending in the application. Claims 1-6, 8-16 and 18-20 are being amended. Claims 7 and 17 are being canceled. New claims 21 and 22 are being added.

Priority under 35 U.S.C. § 119

Applicants note that the Examiner acknowledged a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) to Polish Patent Application No. P-351779, filed January 18, 2002, and confirmed that all certified copies of the priority documents have been received.

Information Disclosure Statement under 37 CFR 1.97(c)

Applicants submit herewith on form PTO/SB/08a an information disclosure statement listing references contained in the International Search Report of the parent international application. These references do not appear to have been submitted by the former attorney of record nor considered by the Examiner. The fee set forth in 37 CFR 1.17(p) is submitted herewith as required by 37 CFR 1.97(c). Applicants respectfully request that the IDS be considered by the Examiner, and that the references be listed on any patent resulting from this application.

All outstanding requirements will now be addressed in the order they appear in the Office Action mailed June 18, 2007.

1-3. The disclosure is objected to because in the abstract and throughout the specification blocks (2, 3, 4) are of a predefined size and block (3) is further referred to as a larger and a smaller block with higher and lower integration levels, respectively. Furthermore, the claims have the same inconsistencies. In addition, claims 3, 9, 13 and 19 state the limitation “bit”, but from reading the disclosure the Examiner believes this term should be “byte”. Applicants have made appropriate corrections to obviate the Examiner’s objections.

4-6. Claims 11-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have made appropriate corrections as suggested by the Examiner.

7-19. Claim 1-20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over “A Description of the DOS File System” by Philip J. Erdelsky, Henceforth. Applicants have amended claims 1-6, 8-16 and 18-20 and canceled claims 7 and 17. Amendments to claims 6 and 16 are based on language of claims 7 and 17, respectively.

In addition, Applicants submit referring to new claims 21 and 22 that the three features constituting an improvement with regard to the prior art are:

- *“the size of the logically separated blocks (2), of the first integration level, is constant”* - Erdelsky teaches away from this feature since cluster's size varies, depending on the capacity of the hard disk;
- *“the partition comprises at least two blocks of a second integration (3) level each comprising one or more blocks of the first integration level”* - Erdelsky does not teach or recite any logical blocks larger than a cluster and smaller than a partition; and
- *“the device comprises an integration means for integrating the logically separated smallest areas (1), into blocks of the first and the second integration levels, in a recurrent manner, until the integration covers the whole area of the partition.”* - given the first two differences, an integration means is needed in order to divide the storage space recurrently, hence forming integration blocks of different integration levels.

The support for these changes can be found in the published specification, paragraph 0016, 0017 and 0021.

In the Office Action the Examiner states that the word 'bits' in the dependent claims 3 and 13, should be changes to 'bytes'. The Applicants clarify that typically a sector has 512 bytes, which when multiplied by 8 gives the number of 4096 that is treated as a sectors count of a cluster in the exemplary embodiment. Should the sector size, given in bytes, change, the

clusters count will change respectively. This is supported in the published specification, paragraph 0021.

Applicants respectfully request withdrawal of this rejection with respect to the claims 1-6, 8-16 and 18-20 as amended.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 503182** to the extent not paid concurrently herewith via EFS-Web.

Customer Number: **33,794**

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Respectfully Submitted,

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